

**CITY OF MUSKEGON**  
**PLANNING COMMISSION**  
**REGULAR MEETING**

DATE OF MEETING: Thursday, January 15, 2015  
TIME OF MEETING: 4:00 p.m.  
PLACE OF MEETING: Commission Chambers, First Floor, Muskegon City Hall

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AGENDA

- I. Roll Call
- II. Approval of Minutes from the regular meeting of December 11, 2014.
- III. Public Hearings
  - A. **Hearing, Case 2015-01:** Request to amend the zoning ordinance to allow crematories as a special land use permitted in B-4, General Business districts, by Sytsema Properties, LLC.
- IV. New Business
- V. Old Business
- VI. Other
- VII. Adjourn

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CITY COMMISSION AND ANY OF ITS COMMITTEES OR SUBCOMMITTEES

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Ann Marie Cummings, City Clerk  
933 Terrace Street  
Muskegon, MI 49440  
(231) 724-6705

TTY/TDD: Dial 7-1-1 and request that a representative dial 231-724-6705

CITY OF MUSKEGON  
PLANNING COMMISSION  
REGULAR MEETING  
MINUTES

**December 11, 2014**

Chairman T. Michalski called the meeting to order at 4:00 p.m. and roll was taken.

MEMBERS PRESENT: T. Michalski, B. Larson, B. Mazade, S. Wisneski, F. Peterson, J. Doyle

MEMBERS ABSENT: Excused: L. Spataro, B. Smith, S. Gawron

STAFF PRESENT: M. Franzak, D. Renkenberger

OTHERS PRESENT: C. Peterson, 896 W. Laketon Ave.; R. Brush, 930 W. Laketon Ave.

APPROVAL OF MINUTES

A motion that the minutes of the regular meeting of October 16, 2014 be approved, was made by S. Wisneski, supported by B. Larson and unanimously approved.

PUBLIC HEARINGS

**Hearing, Case 2014-13:** Request to rezone the property at 916 West Laketon Avenue from R-1, Single Family Residential to B-4, General Business by Lakeshore Animal Hospital. M. Franzak presented the staff report. Lakeshore Animal Hospital is located at 896 W. Laketon Ave. They also own the property at 916 W. Laketon Ave., which had a house on it that was recently demolished. The lot is now vacant. The property measures 39 x 162 feet and is considered a non-buildable lot because it does not have the required minimum road frontage of 50 feet. The applicant is seeking to rezone the property so that they may expand their parking lot for the adjacent animal hospital, since commercial parking lots are not allowed on residentially zoned properties. Notice was given to properties within 300 feet of the subject property. D. Belonga of 1781 Division St. and J. Nelson of 973 W. Larch Ave. called to say that they had no objection to the request. J. Brush, 930 W. Laketon Ave. called to say that he is opposed to the rezoning because the property owners have not been good neighbors in the past, their vehicles and snow removal equipment tear up the alley, and there are drainage issues with their parking lot that make a mess of the alley. R. Keil of 936 W. Laketon also called to say that he is opposed to the request, for similar reasons given by Mr. Brush. M. Franzak pointed out that the applicant would be required to submit a site plan showing stormwater management and drainage for the proposed new parking lot.

C. Peterson stated that they intended to put in a small parking lot with landscaping, and he had looked into the drainage issues. S. Wisneski asked if there was driveway access from the parking lot to Laketon Avenue. C. Peterson stated that there was. He also stated that with the additional parking area, they should not need to use snow removal equipment like they did last year. R. Brush lived nearby and used the alley to access his driveway. He was opposed to the rezoning request, stating that the applicant had caused problems for the neighbors in the way they used the alley.

A motion to close the public hearing was made by B. Mazade, supported by S. Wisneski and unanimously approved.

B. Larson asked who set the grades for lot paving. M. Franzak stated that, per City ordinance, all water must be retained on site. C. Peterson stated that they did retain their water on-site. B. Mazade stated that while he understood the concerns about the alley, it was a public right-of-way. He hoped that the new parking lot would resolve much of the issues mentioned. He asked if a site plan review would be required. M. Franzak stated that it would, and it would require that stormwater be addressed.

A motion that the request to rezone the property located at 916 West Laketon Avenue from R-1, Single Family Residential to B-4, General Business, as described in the public notice, be recommended for approval to the City Commission, was made by J. Doyle, supported by B. Mazade and unanimously approved.

B. Mazade informed Mr. Brush that the City Commission would also have to approve the request.

#### NEW BUSINESS

None.

#### OLD BUSINESS

#### OTHER

None.

There being no further business, the meeting was adjourned at 4:22 p.m.

CITY OF MUSKEGON  
PLANNING COMMISSION  
REGULAR MEETING

STAFF REPORT  
January 15, 2015

**Hearing, Case 2015-01:** Request to amend the zoning ordinance to allow crematories as a special land use permitted in B-4, General Business districts, by Sytsema Properties, LLC.

**STAFF OBSERVATIONS**

1. Crematories are currently only allowed in I-1, Light Industrial and I-2, General Industrial districts as a use by right.
2. The Sytsema Funeral Home would like to utilize a crematory at their location at 737 E Apple, which is zoned B-4, General Business District.
3. If the ordinance is amended to allow crematories as a special land use, then all crematory applicants would need to apply for a special land use permit and have a public hearing.
4. Staff has researched crematories and found that it has been a somewhat controversial subject in many areas around the county. Cremations are much more common than in the past and the growing demand is causing the need for more crematories. Some cities have allowed them to be located in residential areas and some have denied these types of requests. The main concerns most people have are over the potential for pollutants and odors. Please see the enclosed information regarding environmental concerns. The applicant has provided several aerial maps of crematories that are located in various neighborhoods across the country and they have also included a manual for Faculatieve Technologies, which is the brand of crematory that they are interested in using (please note that this amendment wouldn't require all crematories to use this type of model, but it can be used as an example of environmental effects).
5. There are currently two crematories in the Muskegon area. One at Ever Rest at 1783 E Keating in Muskegon and one at Phoenix Crematory Services at 525 W Hume Ave in Muskegon Heights.
6. All crematories in Michigan are required to get a license from the Michigan Department of Licensing and Regulatory Affairs.

**NEW LANGUAGE**

Deletions are ~~crossed-out~~ and additions are in **bold**:

**SECTION 1301: SPECIAL LAND USES PERMITTED**

10. Taxi/Limousine Services [amended 5/04]
11. Craft Shops [amended 5/08]
12. **Crematories**
13. Wind Turbine Facilities [amended 10/09].

14. Accessory uses and accessory buildings customarily incidental to the above Special Land Uses Permitted.
15. Uses similar to the above Special Land Uses Permitted.

#### **DELIBERATION**

I move that the proposed amendment to Section 1301 of the City of Muskegon Zoning Ordinance, to allow crematories as a special land use permitted, be recommended to the City Commission for (approval/denial).